

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. R2-2007-0030

RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NO. 98-099) FOR:

ENGELHARD CORPORATION, MILLIS CORPORATION, MILLIS HYBRID MICROCIRCUITS CORPORATION, ECA CORPORATION, MILLIS WEST CORPORATION, ENGELHARD PRECISION MICROWAVE CIRCUITS WEST CORPORATION, SILICON MATERIAL INC., HY-PAC INC., GARD-MORE CIRCUITS, MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT, ALVIN LAWRENCE SILVER AND RUTH ELEANOR SILVER, RICHARD B. WELLS AND GINGER WELLS, JEROME GILMORE AND GEORGIA GILMORE, AND A PARTNERSHIP OF PAUL ZEBB, CHARLES BEDOLLA, HENRY YAMATE AND TAD SEKIGAHAMA

for the property located at

333 (Formerly 341) Moffett Boulevard
MOUNTAIN VIEW
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Water Board), finds that:

1. **Water Board Orders:** The Water Board adopted site cleanup requirements (SCR) for this site on September 16, 1998 (Order No. 98-099). The above parties were named as dischargers in the SCR.
2. **Summary of Investigation and Remediation Activities:** The site at 333 (Formerly 341) Moffett Boulevard in Mountain View subject to the SCR is a parcel of approximately 1.3 acres in size in an area of light industrial and commercial development. The site is owned by the Mountain View-Los Altos Union High School District and is developed as an Adult Education Center.

Several companies, including the former Engelhard Precision Microwave Circuits West Corporation, occupied the property between 1959 and 1988, when the property was sold to the Mountain View-Los Altos High School District. Former site use consisted of administration, research and bench scale laboratory testing for the semiconductor industry. An adjacent property located at 327 Moffett Boulevard was remediated under a separate Water Board order.

The soil and groundwater beneath and downgradient from the Site have been assessed extensively. The initial environmental assessment was conducted by Union Bank as part of their own site evaluation of the adjacent upgradient property. In 1996 Engelhard began site assessment. Eight monitoring wells were installed on site to evaluate the

presence and distribution of halogenated solvents, and later three monitoring wells were installed offsite, on the other side of Moffett Boulevard, to define the downgradient extent of the solvent plume(s). Trichloroethylene (TCE), the primary constituent of concern, was detected in all monitoring wells sampled. The remedial alternative selected and approved by the Water Board for this site was monitored natural attenuation (MNA).

3. **Basis for Rescission:** Rescission of Order 98-099 is appropriate for the following reasons:

- Groundwater concentrations for TCE currently range between 4.5 µg/l and 110 µg/l. The minimum value is at the downgradient limit of the plume and is below the drinking water standards of 5 µg/l. The maximum TCE value is below the environmental screening levels for aquatic habitat and for vapor intrusion into buildings (360 µg/l and 530 µg/l, respectively).
- The remaining plume of impacted groundwater appears stable and is not migrating further downgradient above levels of potential concern.
- Monitoring results for the last 7 years indicate that TCE and the other constituents continue to show a gradual decline in concentrations with an asymptotic trend. TCE concentrations in the groundwater monitoring wells have declined up to 93%.
- The presence of 1,1-Dichloroethene in groundwater indicates that residual contamination is degrading over time by natural processes. It is reasonable to assume that natural processes will reduce the concentration of chemicals and that drinking water standards will be achieved before groundwater at this site is needed for such purposes.
- Santa Clara Valley Water District records indicated three possible water well locations within ½ mile of the site, but subsequent investigations were unable to locate any of these wells.
- A Deed Restriction (covenant and environmental restriction on property) for this site was signed by the Executive Officer, and recorded in April 2004. The deed restriction limits use of the property, requires implementation of appropriate health and safety plans in the event that subsurface activities are performed, and restricts the use of shallow groundwater.

4. **CEQA:** This action rescinds an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

5. **Notification:** The Water Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to rescind site

cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

6. **Public Hearing:** The Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. 98-099 is rescinded.

IT IS FURTHER ORDERED that the dischargers shall properly close all monitoring and extraction wells consistent with applicable local agency requirements, and shall document such closure in a technical report to be submitted to the Water Board within 30 days following the completion of closure activities.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 11, 2007.

Bruce H. Wolfe
Executive Officer

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FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

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